

**AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**LISTING OF CLAIMS:**

1. (Original) A data sending apparatus capable of sending data to a terminal via a network, the apparatus comprising: (a) a receiver for receiving information from said terminal via said network representing whether or not said terminal is ready for receiving data; (b) a register for registering destinations of data sending via said network; (c) an interface for enabling a user to select a data send destination from said destinations registered in said register; (d) a sender for sending data to said data send destination selected by said user via said interface; and (e) a controller for controlling said interface so as to limit selection of said data send destination by said user on the basis of said information received from said receiver.

2. (Original) The data sending apparatus according to claim 1, wherein said controller controls said interface so that only said terminal that is ready for receiving data is made to be selectable by said user as said data send destination.

3. (Currently Amended) The ~~data sending apparatus~~ system according to claim ~~[[1]]~~ 12, wherein the system includes plural data receiving apparatus, and wherein said controller of the data sending apparatus registers ~~said terminal~~ a first data receiving apparatus that becomes ready for receiving data in said register as a destination of data sending and cancels registration of ~~said terminal~~ a second data receiving apparatus that becomes no longer ready for receiving data, on the basis of said information received by said receiver.

4. (Currently Amended) The ~~data sending apparatus~~ system according to claim ~~[[1]]~~ 12, wherein said interface of the data sending apparatus includes a display for displaying said destinations.

5. (Currently Amended) The ~~data-sending apparatus~~ system according to claim 4, wherein the system includes plural data receiving apparatus, and wherein said controller controls said interface, on the basis of said information received by said receiver, so that ~~said terminal~~ a first data receiving apparatus that is ready for receiving data is displayed on said display as a destination, and ~~said terminal~~ a second data receiving apparatus which is not ready for receiving data is not displayed.

6. (Currently Amended) The ~~data-sending apparatus~~ system according to claim 5, wherein said system includes plural data receiving apparatuses, and wherein said controller controls said interface, on the basis of said information received by said receiver, so that ~~said terminal~~ a first data receiving apparatus that becomes ready for receiving data is registered in said register as said destination, and registration of ~~said terminal~~ a second data receiving apparatus that becomes no longer ready for receiving data is canceled, and only said destinations that are registered in said register are displayed on said display.

7. (Currently Amended) The ~~data-sending apparatus~~ system according to claim 4, wherein said system includes plural data receiving apparatuses, and wherein said controller controls said interface, on the basis of said information received by said receiver, so that ~~said terminal~~ a first data receiving apparatus that is ready for receiving data and ~~said terminal~~ data receiving apparatus that is not ready for receiving data are displayed on said display in different forms.

8. (Currently Amended) The ~~data-sending apparatus~~ system according to claim 7, wherein said controller controls said sender so that when said ~~terminal~~ data receiving apparatus that is not ready for receiving data is selected by said user as said data send destination via said interface, data is sent after said ~~terminal~~ data receiving apparatus becomes ready for receiving data.

9. (Currently Amended) The ~~data sending apparatus~~ system according to claim ~~[[1]]~~ 12, wherein the data sending apparatus further ~~comprising~~ comprises: (f) a reader for reading an image of a document to acquire image data, wherein said sender can send said image data that has been read by said reader.

10. (Original) A data receiving apparatus capable of receiving data from a terminal via a network, the apparatus comprising: (a) a generator for generating information representing whether or not said data receiving apparatus itself is ready for receiving data; and (b) a sender for sending said information generated by said generator to said terminal via said network at least when said data receiving apparatus itself becomes ready for receiving data or becomes no longer ready for receiving data independently of receiving a send request from said terminal.

11. (Currently Amended) The data receiving apparatus according to claim ~~40~~ 12, wherein said sender further sends said information generated by said generator regularly at a predetermined time interval.

12. (Original) A system capable of transmitting data via a network, the system comprising: (a) a data receiving apparatus including: a generator for generating information representing whether or not said data receiving apparatus itself is ready for receiving data; and a sender for sending said information generated by said generator to said network at least when said data receiving apparatus itself becomes ready for receiving data or becomes no longer ready for receiving data independently of receiving a send request via said network; and (b) a data sending apparatus including: a receiver for receiving from said data receiving apparatus said information representing whether or not said data receiving apparatus is ready for receiving data via said network; a register for registering destinations of data sending via said network; an interface for enabling a user to select a data send destination from said destinations registered in said register; a sender for sending data to said data send destination selected by said user via said interface; and a controller for controlling said interface so as to limit selection of said data send destination by said user on the basis of said information received from said receiver.

13. (Original) The system according to claim 12, wherein said controller controls said interface so that only said data receiving apparatus that is ready for receiving data is made to be selectable by said user as said data send destination.

14. (Original) A data sending method via a network, the method comprising the steps of: (a) receiving information representing whether a data receiving end terminal is ready for receiving data via said network; and (b) limiting selection of a data send destination by a user in a data sending end terminal on the basis of said information received.

15. (Original) The data sending method according to claim 14, wherein in said step (b), only said data receiving end terminal that is ready for receiving data is selectable as said data send destination by said user.

16. (Original) A data receiving method via a network, comprising the steps of: (a) generating information representing whether a data receiving end terminal is ready for receiving data in said data receiving end terminal; and (b) sending said information from said data receiving end terminal to a data sending end terminal at least when said data receiving end terminal becomes ready for receiving data and becomes no longer ready for receiving data independently of receiving a send request from said data sending end terminal.

17. (Original) A data sending/receiving method via a network, comprising the steps of: (a) sending information representing whether or not a data receiving end terminal is ready for receiving data from said data receiving end terminal to a data sending end terminal via said network; and (b) limiting selection of a data send destination by a user in said data sending end terminal on the basis of said information received.

18. (Original) The data sending/receiving method via a network according to claim 17, wherein in said step (b), only said data receiving end terminal that is ready for receiving data is selectable as said data send destination by said user.

19. (Original) A computer program for controlling a computer to operate as an apparatus which comprises: (a) a receiver for receiving from a terminal via a network information representing whether or not said terminal is ready for receiving data; and (b) a controller for limiting selection of data send destination by a user on the basis of said information received by said receiver.

20. (Original) The computer program according to claim 19, wherein said controller makes only said terminal that is ready for receiving data selectable by said user as said data send destination.

21. (Original) The computer program according to claim 20, wherein said controller displays said terminal that is ready for receiving data as a destination on a display screen and clears said terminal that is not ready for receiving data from said display screen on the basis of said information received by said receiver.

22. (Original) The computer program according to claim 19, wherein said controller displays said terminal that is ready for receiving data and said terminal that is not ready for receiving data in different forms on a display screen, on the basis of said information received by said receiver.

23. (Original) The computer program according to claim 22, wherein when said terminal that is not ready for receiving data is selected as said data send destination by said user, said controller sends data after said terminal becomes ready for receiving data.

24. (Original) A computer program for controlling a computer to operate as an apparatus which comprises: (a) a generator for generating information representing whether or not said apparatus itself is ready for receiving data; and (b) a sender for

sending said information generated by said generator to a terminal via said network at least when said apparatus itself becomes ready for receiving data or becomes no longer ready for receiving data independently of receiving a send request from said terminal.

25. (Original) A recording medium on which a computer readable program is recorded, the program controlling said computer to operate as an apparatus which comprises: (a) a receiver for receiving from a terminal via a network information representing whether or not said terminal is ready for receiving data; and (b) a limiter for limiting selection of data send destination by a user on the basis of said information received by said receiver.

26. (Original) A recording medium on which a computer readable program is recorded, the program controlling said computer to operate as an apparatus which comprises: (a) a generator for generating information representing whether or not said apparatus itself is ready for receiving data; and (b) a sender for sending said information generated by said generator to a terminal via said network at least when said apparatus itself becomes ready for receiving data or becomes no longer ready for receiving data independently of receiving a send request from said terminal.